

Vilath Xayasomloth T-76900
Ironwood State Prison
P.O. Box 2199 (C2-249)
Blythe, Ca 92226

In Pro Per

REJECTED

FILED
2008 JUL -2 PM 4:54
CLERK US DISTRICT COURT
ORIGINAL DISTRICT OF CALIFORNIA
BY ds DEPUTY

NUNC PRO TUNC
JUN 26 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Vilath Xayasomloth,

08-0260 BEN (AJB)

Petitioner

v.

MOTION FOR AN ABEYANCE
TO EXHAUST STATE REMEDIES

D. Dexter, Warden,

Respondent.

COMES NOW Vilath Xayasomloth, Petitioner in pro per moves this Court to grant him an abeyance for the purpose of exhausting issues pending in the California Supreme Court. Petitioner believes that this court has the discretion, Calderon v. Taylor 134 F ed 981 (CA9 (Cal) 1998) and a outright dismissal of the instant petition would not afford him enough time to return within the AEDPA timeline Olvera v. Giurbino 371 F 3d 569, 574 (9Th Cir. 2004).

Date: June 24, 2008

Respectfully Submitted,
Vilath Xayasomloth
Vilath Xayasomloth, Petitioner

In Pro Per

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